

1 Michael N. Poli, #005461
2 poli@poliball.com
3 POLI & BALL, P.L.C.
4 400 South 4th Street, Suite 500
5 Las Vegas, Nevada 89101
6 Tel: (702) 380-8095
7 Fax: (702) 380-3001
8 Attorneys for Defendant

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 VEGAS GAME POINT, LLC, a Nevada
13 limited liability company,

14 Plaintiff,

15 vs.

16 JPMORGAN CHASE BANK, N.A, d/b/a
17 CHASE BANK, a national association,

18 Defendant.

Case No.: 2:15-CV-02274

19 **STIPULATION FOR DISMISSAL OF NON-UCC CLAIMS AGAINST**
20 **DEFENDANT JPMORGAN CHASE BANK, N.A. WITHOUT PREJUDICE**

21 Through their respective counsel, Plaintiff Vegas Game Point, LLC and
22 Defendant JPMorgan Chase Bank, N.A. hereby stipulate and agree that the following
23 claims set forth in the Complaint filed by Plaintiff Vegas Game Point, LLC on or about
24 November 5, 2015 shall be dismissed without prejudice:

- 25 • Breach of Contract (First Claim for Relief);
- 26 • Tortious Breach of the Implied Covenant of Good Faith and Fair Dealing (Second Claim for Relief);
- Breach of Fiduciary Duty (Third Claim for Relief);
- Negligence (Fourth Claim for Relief);
- Fraud (Fifth Claim for Relief); and
- Preliminary and Permanent Injunction (Sixth Claim for Relief)

(collectively, the “non-UCC Claims”).

1 By way of this Stipulation, the sole claim remaining is Plaintiff's claim alleging Failure
2 to Exercise Ordinary Care as Required under the UCC (the "UCC Claim").¹

3 Defendant's counsel certifies that Plaintiff's counsel has reviewed and approved
4 this Stipulation, and that Plaintiff's counsel has authorized Defendant's counsel to sign
5 and file on his behalf.

6 RESPECTFULLY SUBMITTED this 15th day of January 2016.

7 NEWMAN LAW, LLC

POLI & BALL, P.L.C.

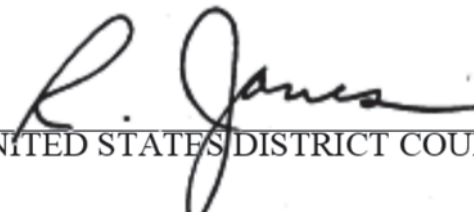
9 By /s/ Richard Newman (with permission)
10 Richard Newman
11 Attorney for Vegas Game Point, LLC

By /s/ Michael N. Poli
Michael N. Poli
Attorneys for JPMorgan Chase Bank, N.A.

12 **ORDER**

13 IT IS SO ORDERED:

14
15
16 DATED: February 3, 2016


UNITED STATES DISTRICT COURT JUDGE

17
18
19
20
21
22
23
24
25
26 ¹ Although the Complaint identifies it as the Ninth Claim for Relief, it is actually the Seventh Claim for Relief.

AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document, filed in this case:

☒ Document does not contain the social security number of any person.

- OR -

☐ Document contains the social security number of a person as required by:

☐ A specific state or federal law, to wit:

(State specific state or federal law)

- or -

☐ For the administration of a public program.

- or -

☐ For an application for a federal or state grant.

- or -

☐ Confidential Family Court Information Sheet
(NRS 125.130, NRS 125.230, NRS 125B.255)

DATED this 15th day of January 2016.

POLI & BALL, P.L.C.

By /s/ Michael N. Poli

Michael N. Poli
400 South 4th Street, Suite 500
Las Vegas, Nevada 89101
Attorneys for Defendant
JPMorgan Chase Bank, N.A.

POLI & BALL, P.L.C.
400 SOUTH 4TH STREET, SUITE 500
LAS VEGAS, NEVADA 89101
(702) 380-8095

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of January, 2016, a true and correct copy of the foregoing was sent to the following, by postage-prepaid mail:

Richard Newman, Esq.
NEWMAN LAW, LLC
365 E. Pilot Rd, Suite C
Las Vegas, Nevada 89119
Attorneys for Plaintiff

By /s/ Linda Lieber
Employee of Poli & Ball

POLI & BALL, P.L.C.
400 SOUTH 4TH STREET, SUITE 500
LAS VEGAS, NEVADA 89101
(702) 380-8095

S:\LKL\Chase\VegasGame\Plead\Stip to Ext DL Answer.doc